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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/827,125

04/19/2004

Michael David Burke

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7590

10/20/2006

WOOD, PHILLIPS, KATZ, CLARK & MORTIMER  
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SUITE 3800  
CHICAGO, IL 60661

EXAMINER

GORTAYO, DANGELINO N

ART UNIT

PAPER NUMBER

2168

DATE MAILED: 10/20/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/827,125	BURKE, MICHAEL DAVID	
	<b>Examiner</b>	<b>Art Unit</b>	
	Dangelino N. Gortayo	2168	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 19 April 2004.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 19 April 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)          | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date. _____   | 6) <input type="checkbox"/> Other: _____                          |

***Claim Rejections - 35 USC § 101***

4. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

5. Claims 1-2, 12-20 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. Although claims 1-2 and 12-20 recite a system in the preamble, they do not seem to require any computing hardware to perform the claimed means of operations. Thus claims 1-2 and 12-20 are interpreted as an abstract idea and as such, they are non statutory.

Art rejection is being applied in anticipation of applicant amending the claims to place them in a statutory category.

***Claim Rejections - 35 USC § 112***

6. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

7. Claim 1-20 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claim 1 recites the limitation "means to provide mapping of" in line 2. There is insufficient antecedent basis for this limitation in the claim. For purposes of examination, examiner assumes the mapping is for the static data.

Claim 13 recites the limitation "the first mentioned system" in line 1. There is insufficient antecedent basis for this limitation in the claim. For purposes of examination, examiner assumes the system referred to is the relational data base management system of the previous claim.

Claims 2-20 recite the limitation "A system" in line 1. There is insufficient antecedent basis for this limitation in the claim. For purposes of examination, examiner reads it as "the system".

***Claim Rejections - 35 USC § 102***

8. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

9. Claims 1-20 are rejected under 35 U.S.C. 102(b) as being anticipated by Anand et al. ("Anand" US Patent 5,832,496)

**As per claim 1, Anand discloses "A system for providing an analysis of data,"**

**"comprising means to assimilate static data," (column 6 lines 55-66, wherein data is retrieved from data warehouses)**

**"means to provide mapping of" (column 12 lines 22-29, lines 51-65, column 16 lines 46-52, wherein mapping from business concepts to database entities is provided)**

“and a normalised structure of said data as a summary report, whereby to provide an enhanced analysis of said data.” (Figure 12 and column 18 lines 38-59, wherein a summary page is generated showing data analysis results)

**As per claim 2, Anand** discloses “the summary report comprising a one page report.” (Figure 12 and column 18 lines 38-59, wherein a summary page is shown)

**As per claim 3, Anand** discloses “being a computer-based system,” (column 3 lines 21-23)

“means to assimilate data comprising a data base and graphical user interface whereby to normalise static data input.” (column 7 lines 17-26, lines 45-65, wherein a database stores data and a client computer uses a GUI for user manipulation)

**As per claim 4, Anand** discloses “the graphical user interface comprising drag and drop means whereby to display a normalised structure.” (column 6 lines 47-54, column 30 lines 27-54)

**As per claim 5, Anand** discloses “the means to provide mapping comprising a means to map static data into the system.” (column 16 lines 46-59, wherein static business concepts defined by a user prior to use is mapped to database entities)

**As per claim 6, Anand** discloses “means to translate said static data and balances into the system” (column 12 line 66 – column 13 lines 22, wherein a metadata request module handles translation between data when updated)

**As per claim 7, Anand** discloses “sign off means adapted to define a normalisation process.” (Figure 6 reference 122 and column 17 lines 52-59, wherein a button closes client subsystem)

**As per claim 8, Anand** discloses "the said means comprising sign off sheet categories." (Figure 6 and column 17 lines 52-59)

**As per claim 9, Anand** discloses "the sign off sheet categories being adapted to group input data and to replay said data for formal sign off." (Figure 6 reference 112 and column 18 lines 5-9)

**As per claim 10, Anand** discloses "dictionary means adapted to relate to nodal points of a structure, and include and/or exclude data related to discrete nodal points." (column 18 lines 11-20)

**As per claim 11, Anand** discloses "the said data being related to product(s) and/or service(s) related to or associated with a discrete nodal point." (column 16 lines 7-18)

**As per claim 12, Anand** discloses "comprising a relational data base management system and a visual front end system," (column 7 lines 17-26, lines 45-65, wherein a database stores data and a client computer uses a GUI for user manipulation)

**As per claim 13, Anand** discloses "the first mentioned system forming at least part of the means to assimilate static data and comprises a plurality of discrete store tables for data." (column 15 lines 37-43 and column 7 lines 45-56)

**As per claim 14, Anand** discloses "the store tables comprising respectively tables to store source data. standardised structures and definitions, translated data, benchmarking results and/or allocations and security and/or audit functions." (column 45

line 29 – column 46 line 57, wherein tables in a database are shown showing categories of entities set up during installation)

**As per claim 15, Anand** discloses “the visual front end system being adapted to manipulate data of the relationed data base management system.” (column 6 lines 48-54)

**As per claim 16, Anand** discloses “the visual front end system comprising respective means for loading data, manipulation of standardised structures and definitions, mapping, translation of data into standardised format, calculation of results, reporting and administration.” (Figures 6, 7A, 7B, 7C, 7D, 7E, 8A, 8B, 9A, 9B, 9C, 10, 11, and column 6 lines 48-54)

**As per claim 17, Anand** discloses “the means for loading data comprising means for handling, data comprising static data, reporting structure, balance and metric data.” (column 14 lines 47-58)

**As per claim 18, Anand** discloses “the means for administration comprising means for providing security and/or audit trail facilitation” (column 7 line 66 – column 8 line 29, wherein a user can have client and system administrator privileges determined by a log-in module)

**As per claim 19, Anand** discloses “adapted for benchmarking of a business.” (column 40 lines 5-48)

**As per claim 20, Anand** discloses “the business comprising investment banking.” (column 12 lines 8-28, wherein the system is used to handle business concepts)

**Conclusion**

10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

D'Alessandro (US Patent 6,556,974 B1)

Marwood (US Publication 2004/0044552 A1)

O'Halloran et al. (US Publication 2004/0153432 A1)

Machin et al. (US Patent 6,877,034 B1)

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dangelino N. Gortayo whose telephone number is (571)272-7204. The examiner can normally be reached on M-F 7:30-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tim T. Vo can be reached on (571)272-3642. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.



Art Unit: 2168

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Dangelino N. Gortayo  
Examiner



Tim T. Vo  
SPE



**TIM VO**  
**SUPERVISORY PATENT EXAMINER**  
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